

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION

PATAGONIA, INC.,)	Civil Action No.
)	
Plaintiff,)	COMPLAINT FOR COUNTERFEITING,
)	TRADEMARK INFRINGEMENT,
v.)	UNFAIR COMPETITION, AND
)	COPYRIGHT INFRINGEMENT
AMY HOLLEY ASHLEY,)	
)	
Defendant.)	JURY TRIAL DEMAND
)	

ANSWERS TO LOCAL CIV. RULE 26.01 (D.S.C.) INTERROGATORIES

Defendants Patagonia, Inc., answers the following Rule 26.01 interrogatories:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

ANSWER: None.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER: Patagonia respectfully submits that this matter should be tried by a jury as, in addition to injunctive relief, it is seeking money damages for trademark infringement, copyright infringement, damages for “False Designation of Origin and False Description” pursuant to 15 U.S.C. §1125(a), and damages under the South Carolina Unfair Trade Practices Act, S.C. Code Ann. §§ 36-5-10, *et seq.*

(C) State whether the party submitting these responses is a publicly-owned company and separately identify (1) any parent corporation and any publicly held corporation owning ten percent (10%) or more of the party’s stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly owned company in which the party owns ten percent (10%) or more of the outstanding shares.

ANSWER: No, Patagonia is not a publically-owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). *See* Local Civ. Rule 3.01 (D.S.C.).

ANSWER: Upon information and belief, Defendant is a resident of Greenwood County, SC. which is located within the District of South Carolina, Greenwood Division, in accordance with 28 U.S.C. § 1446(a).

(E) Is this action related in whole or in part to any other matter filed in this district, whether civil or criminal? If so, provide (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases that *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the clerk of court based on a determination of whether the cases arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.¹⁴ (This information is required in addition to completion of the “related cases” block on the JS44 Civil Cover Sheet. Although the civil cover sheet requires only that parties disclose *pending* related cases, this interrogatory and this district’s assignment procedures require disclosure of *any prior or pending* related case whether civil or criminal. Therefore, both categories should be disclosed in response to this interrogatory as well as on the JS44 Civil Cover Sheet.)

ANSWER: Plaintiff has no knowledge that this action is related in whole or in part to any other matter filed in this district.

(F) [*Defendants only.*] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Not applicable.

(G) [*Defendants only.*] If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of their liability.

ANSWER: Not applicable.

September 24, 2018

Respectfully Submitted,

/s/ Alexander M. Bullock

Alexander M. Bullock (Bar. No. 1567)

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